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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,421	11/20/2003	Hyoung-Woo Jeon	1293.1921	6552
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STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER SHIBRU, HELEN	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 11/15/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/716,421

Applicant(s)

JEON, HYOUNG-WOO

Examiner

HELEN SHIBRU

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendments, filed 08/24/2007, have been entered and made of record. Claims 1-24 are pending and claims 25-28 are cancelled. In view of the Applicant's amendment, the objection to claims 12-18 is hereby withdrawn.

Response to Arguments

2. Applicant's arguments filed 08/24/2007 have been fully considered but they are not persuasive.

In re page 7 Applicant states "Shirata et al. does not teach that any information from the first or second memories 27, 28 is displayed. Indeed, the cited portions of Shirata et al. teach that either the detection of metadata is displayed (step 34 of fig. 3) or an inquiry to a user about storing an adjustment condition (step 53 of fig. 4) is displayed. ... Shirata et al. does not teach displaying using a video test pattern, as variously recited by these claims."

In response the Examiner respectfully disagrees. As the Applicant agrees a second memory 28 in Shirata et al. stores metadata and the metadata are displayed on the display device. Shirata further teaches the metadata include data of an average brightness, a brightness contrast, a ratio between bright and dark regions, a color balance, etc. (see paragraph 0025). The present application discloses that the video patterns are a set of color bars, a set of luminance bars of various luminance etc. (see claims 4 and 22 for e.g.). Furthermore Shirata discloses metadata are recorded in a multiplexed condition separately from a video and audio data stream (see paragraph 0024). Shirata further teaches the two memories 27 and 28 are formed from EAROM and can keep *stored* contents thereof. Video signal is outputted to a video display apparatus (see

paragraphs 0038, 0042 and 0046). Therefore Shirata indeed discloses displaying using a video pattern.

In re page 7 Applicant states “Shirata does not teach that the operation section allows a user to input a video test pattern selection.”

In response the Examiner respectfully disagrees. Shirata discloses the user can store the picture quality adjustment condition then as picture quality adjustment condition corresponding to the disk or a picture quality adjustment condition corresponding to the metadata (see paragraphs 0054-0055). Shirata further discloses the user can perform adjustment or alteration of the picture quality through picture quality adjustment operation section (see paragraphs 0051 and 0052).

In response to Applicant’s request for documentary evidence, the Examiner hereby submitted evidences to support the Official Notice. See prior art section below.

The claimed invention does in fact read on the cited references for at least the reasons discussed above and as stated in the detail Office Action as follows.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action
4. Claims 1-4, 6-7, 9-13, 15-16 and 18-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Shirata (US PG PUB 20010043784).

Regarding claim 1, Shirata discloses a method of adjusting a display of a display device, which is connected to a DVD player, according to image signals provided by the DVD player, comprising: accessing one of one or more video patterns stored in a memory of the DVD player

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(see figs. 1-3); displaying the accessed video pattern on the display (see paragraphs 0038 and fig. 3); and adjusting the display while checking the displayed video pattern which provides the user with information regarding the adjustment (see paragraphs 0042-0049 and figures 3 and 4).

Regarding claim 2, Shirata discloses the memory of the DVD player comprises a flash memory (see paragraph 0028).

Regarding claim 3, Shirata discloses the video pattern is a set of color bars which are test image signals usable to adjust a luminance and a color delay of the display (see paragraphs 0037, 0047 and 0088, and claim 8).

Regarding claim 4, Shirata discloses the video pattern is a test pattern which is a still screen usable to evaluate overall screen quality, so that the user can adjust at least one of a position and a sharpness of the display (see paragraphs 0005 and 0027-0029).

Claims 6-7 are rejected for the same reason as discussed in claim 3-4 respectively.

Regarding claim 9, Shirata discloses the display is one of a TV screen of a TV and a screen of a monitor (see paragraph 0038).

Regarding claim 10, Shirata discloses a DVD player connectable to an image display device, comprising: a memory which stores at least one video pattern (see figs. 1 and 2, components 27 and 28, paragraphs 0029, 0064 and claim 3); a control unit which controls selection of a video pattern stored in the memory (see figs. 1 and 2 component 24, paragraph 0028, 0044-0047); and an output unit which outputs a selected video pattern to the image display device (see figs 1 and 2 component 26 and paragraph 0038), wherein the selected video pattern is displayed on a display of the image display device and provides the user with information with

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which the user can adjust the display while checking a displayed video pattern (see paragraphs 0042-0049 and figs. 3 and 4).

Claims 11-13 are rejected for the same reason as discussed in claim 2-4 respectively.

Claims 15-16 are rejected for the same reason as discussed in claim 3-4 respectively.

Claim 18 is rejected for the same reason as discussed in claim 9 above.

Regarding claim 19, the limitation of claim 19 can be found in claim 1. therefore claim 19 is analyzed and rejected for the same reason as discussed in claim 1 above.

Regarding claim 20, Shirata discloses the selecting comprises accessing a menu of the DVD player which allows a user to select one of the one or more video test patterns (see figs. 3 and 4).

Claim 21 is rejected for the same reason as discussed in claim 2 above.

Regarding claim 22, Shirata discloses the selecting comprises accessing a menu of the DVD player which allows a user to select one of the one or more video test patterns (see paragraphs 0037, 0047, 0088 and claim 8).

Regarding claim 23, Shirata discloses a method of providing information usable to adjust a display property of an adjustable display, comprising: storing one or more video test patterns in a memory of a DVD player (see paragraphs 0029 and 0064); providing an inputter which allows a user to input a video test pattern selection (see figs 1 and 2 component 25 and paragraph 0027); providing an outputter which outputs a selected video test pattern to an adjustable display (see abstract and paragraph 0038), wherein an adjustment to a display property of the adjustable display is observable by an effect thereof on a presentation of the selected video test pattern by the adjustable display (see paragraphs 0042-0049 and figs. 3 and 4).

Claim 24 is rejected for the same reason as discussed in claim 10 above.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

6. Claims 5, 8, 14, and 17 rejected under 35 U.S.C. 103(a) as being unpatentable over Shirata in view of Official Notice.

Regarding claim 5, although Shirata fails to disclose the video pattern is 10 levels of luminance which is expressed by dividing luminance of the display by 10, Shirata discloses Picture quality adjustment is performed for brightness data and color difference data (see paragraphs 0047, 0065 and claim 8). Therefore Official Notice is taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shirata by dividing the luminance of the display by 10 in order to perform edit function.

Claims 8, 14, and 17 are rejected for the same reason as discussed in claim 5 above.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following prior arts disclose dividing the luminance of the display.

Yamamauchi et al. (US PG PUB NO 2003/0222998 A1)

Nakata et al. (US PG PUB NO 2003/0091329 A1)

Vogel et al. (US PG PUB NO 2003/0011716 A1)

Okisu et al. (US PG PUB NO 2002/0140827 A1)

Kimura et al. (US PG PUB NO 2002/0136431 A1).

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8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

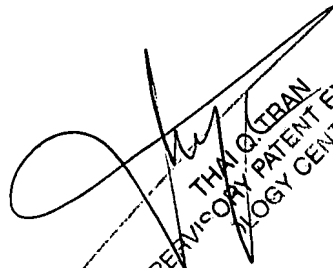
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Helen Shibru
November 10, 2007


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